IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.24504-M of 2007
Date of Decision:- 27.11.2007

Sukhwinder Singh @ Sabi ....Petitioner(s)

through
None.

vs.

State of Punjab & others ....Respondent(s)

through
Mr.Rajesh Bhardwaj, DAG, Punjab.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

The prayer in this petition is for quashing of F.I.R.No.20 dated 19.3.2007 under Section 366 IPC, registered at Police Station Bhogpur, District Jalandhar as well as the proceedings arising therefrom.

The above-stated F.I.R. was registered on the statement of respondent No.2 who is father of respondent No.3. The petitioner has sought quashing of the F.I.R. on the ground that respondent No.3 was born on 10.3.1984 and being major, she got married to the petitioner on her own, therefore, the allegation regarding commission of an offence under Section 366 IPC by the petitioner , was totally false.

On October 08, 2007, when this petition came up for hearing, it was brought to the notice of this Court that the petitioner and respondent No.3 are living happily together as husband and wife and in fact respondent No.3 was in an advance stage of pregnancy. Accordingly and in order to

facilitate the investigation, both, the petitioner and respondent No.3, were directed to appear before the Investigating Officer and produce the documents/material in support of their plea that respondent No.3 was major and had got married to the petitioner.

It is apparent that in deference thereto, the petitioner and respondent No.3 have provided the necessary information to the Investigating Officer who, upon completion thereof, has recommended the cancellation of the F.I.R. An affidavit dated 26.11.2007 of Kulwant Singh Heer, Deputy Superintendent of Police, Jalandhar filed to this effect is taken on record.

In view of the above-noticed admitted facts and the subsequent events, the learned Court concerned is directed to accept the cancellation report, however, in accordance with law.

No further directions, therefore, are required to be issued in this petition which is accordingly disposed of.

November 27, 2007 **(SURYA KANT)**
poonam **JUDGE**